



30 May 2024
FOI ref: 3593

Eugene
Compliance Associate
By email: foi+request-11370-3efab2aa@righttoknow.org.au

Dear Eugene,

FREEDOM OF INFORMATION REQUEST – DECISION

I refer to your request to the Treasury on 30 April 2024, referencing the Financial Sector Advisory Council, for access under the *Freedom of Information Act 1982 (FOI Act)* to the following:

Any documents, reports, memos, emails or other records from January 1, 2015 to the present date which discuss or relate to concerns raised by any of the following groups regarding Australia's financial markets and legal system:

- *Law enforcement agencies*
- *Financial regulators, including but not limited to:*

United States Securities and Exchange Commission US Financial Industry Regulatory Authority Alberta Securities Commission Australian Securities and Investments Commission British Columbia Securities Commission Calgary Police Service Cayman Islands Monetary Authority Hong Kong Securities and Futures Commission Mauritius Financial Services Commission Ontario Securities Commission United Kingdom Financial Conduct Authority

- *Industry/trade groups*
- *Foreign government officials or agencies Private citizens of foreign countries*

Specifically, I am seeking records which discuss apprehensions or issues raised alleging either:

Australia's financial markets and legal system appearing to be improperly influenced by private individuals and their relationships to those in positions of power, Information provided by Australian authorities being used by foreign entities in a manner inconsistent with the ideals and values of the country exercising the coercive powers, or

Any limitations, restrictions, or reduced international involvement by Australia due to the aforementioned concerns.

I am an authorised decision maker under section 23 of the FOI Act.

Decision

I arranged for officers to search Treasury records for material relevant to your request. No documents in the scope of your request were located. Accordingly, I am satisfied that no such documents exist.

As the Treasury holds no documents within the scope of your request, I am refusing your request under section 24A(1) of the FOI Act.

Rights of Review

A statement setting out your rights of review in this matter is attached.

Yours sincerely,



James Kelly
First Assistant Secretary
Markets Group

INFORMATION ON RIGHTS OF REVIEW

1. APPLICATION FOR INTERNAL REVIEW OF DECISION

Section 54 of the Freedom of Information Act gives you the right to apply for an internal review of the decision refusing to grant access to documents in accordance with your request.

An application for a review of the decision must be made in writing within 30 days of receipt of this letter. No particular form is required but it would assist the decision-maker if you could set out in the application the grounds on which you consider that the decision should be reviewed.

An application for a review of the decision should be emailed to FOI@Treasury.gov.au.

OR

2. APPLICATION TO AUSTRALIAN INFORMATION COMMISSIONER (INFORMATION COMMISSIONER) FOR REVIEW OF DECISION

Section 54L of the FOI Act gives you the right to seek a review of the decision from the Information Commissioner. An application for review must be made within 60 days of receiving the decision.

An application for review must be in writing and must:

- give details of how notices must be sent to you; and
- include a copy of the notice of decision.

You should send your application for review to:

The Information Commissioner
Office of the Australian Information Commissioner
GPO Box 5218
SYDNEY NSW 2001

AND/OR

3. COMPLAINTS TO THE INFORMATION COMMISSIONER

Section 70 of the FOI Act provides that a person may complain to the Information Commissioner about action taken by an agency in the exercise of powers or the performance of functions under the FOI Act.

A complaint to the Information Commissioner must be in writing and identify the agency the complaint is about. It should be directed to the following address:

The Information Commissioner
Office of the Australian Information Commissioner
GPO Box 5218
SYDNEY NSW 2001

The Information Commissioner may decline to investigate the complaint in a number of circumstances, including that you did not exercise your right to ask the agency, the Information Commissioner, a court, or tribunal to review the decision.